



Honorable August B. Landis
United States Bankruptcy Judge



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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA**

In re:
NATIONAL MERCHANDISING SERVICES,
LLC,

Debtor.

Case No.: BK-19-15172-ABL
Chapter 11

Hearing Date: August 20, 2019
Hearing Time: 1:30 p.m.

**ORDER DIRECTING JOINT ADMINISTRATION OF THE DEBTORS'
CHAPTER 11 CASES UNDER FED. R. BANKR. P. 1015(b)**

National Merchandising Services, LLC ("NMS"), debtor and debtor-in-possession, filed its *Emergency Motion for Order Directing Joint Administration of Debtors' Chapter 11 Cases Under Federal Rule of Bankruptcy Procedure 1015(b)* [ECF No. 11] (the "Motion")¹ on August 14, 2019, requesting joint administration of NMS's chapter 11 case with the chapter 11 cases of Edward S. Burdekin, bankruptcy case number BK-19-15175-ABL ("Burdekin") and National Store Retail

¹ All undefined, capitalized terms shall have the meaning ascribed to them in the Motion.

Services, LLC, a Georgia limited liability company, bankruptcy case number BK-19-15174-ABL, each filed in this Bankruptcy Court (“NSRS,” and collectively with NMS and Burdekin, the “Debtors”).

The Motion was heard and considered by above-captioned Bankruptcy Court on August 20, 2019 at 1:30 p.m. NMS appeared by and through its proposed counsel, the law firm of Garman Turner Gordon LLP, and Burdekin and NSRS appeared and through their proposed Nevada counsel, the Andersen Law Firm, Ltd., and all other appearances were noted on the record.

The Bankruptcy Court reviewed the Motion and the other pleadings and papers on file and heard and considered the argument of counsel at the hearing on the Motion. The Bankruptcy Court determined that notice and an opportunity for a hearing on the Motion was appropriate under the circumstances of the Debtors’ chapter 11 cases and that no other or further notice need be given; that the Bankruptcy Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; that this matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); that venue in this judicial district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and that the relief requested in the Motion is in the best interests of the NMS, the other Debtors, the Debtors’ estates, their creditors, and other parties-in-interest. After due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED ADJUDGED AND DECREED as follows:

1. That pursuant to FED. R. BANKR. P. 1015(b), the Motion is granted in its entirety.
2. The Chapter 11 Cases of NMS, Burdekin, and NSRS are consolidated for procedural purposes only and shall be jointly administered in accordance with Fed. R. Bankr. P. 1015(b).
3. The Chapter 11 Cases shall be jointly administered by this Bankruptcy Court under **Case No. BK-19-15172-ABL** (the “Lead Case”).
4. The caption of the jointly administered Chapter 11 Cases shall read as set forth on **Exhibit 1** attached hereto.
5. A docket entry shall be made on the docket of Burdekin and NSRS, substantially as follows:

An Order has been entered pursuant to Rule 1015(b) of the Federal Rules of Bankruptcy Procedure directing joint administration of the Chapter 11 Cases of National Merchandising Services, LLC, Edward S. Burdekin, and National Store Retail Services, LLC. The docket in **Case No. BK-19-15172-ABL** should be consulted for all matters affecting this case. All further pleadings, motions, and other papers shall be filed in, and all further docket entries shall be made in, **Case No. BK-19-15172-ABL**.

6. The Debtors shall maintain one consolidated docket, service list, and file.

7. All parties shall use each debtor's respective case number and the proof of claim number when identifying a proof of claim in any pleadings filed in the Chapter 11 Cases.

8. Neither the Motion nor this Order shall be construed as affecting a substantive consolidation of the Debtors' Chapter 11 Cases.

9. This Order shall be effective and enforceable immediately upon its entry.

10. This Bankruptcy Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order, which shall occur in the Lead Case.

IT IS SO ORDERED.

Prepared and Submitted by:

GARMAN TURNER GORDON LLP

~~Approved/Disapproved~~ by:

ANDERSEN LAW FIRM, LTD.

By: /s/ William M. Noall

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By: /s/ Ryan A. Andersen

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[Proposed] Attorneys for National Store
Retail Services, LLC and Edward S.
Burdekin

~~Approved/Disapproved~~ by:

OFFICE OF THE UNITED STATES
TRUSTEE

By: /s/ Cameron M. Gulden

CAMERON M. GULDEN
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EXHIBIT 1

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 Services, LLC and Edward S. Burdekin*

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF NEVADA

In re:

NATIONAL MERCHANDISING SERVICES,
 LLC

☐ Affects this Debtor.

☐ Affects all Debtors.

☐ Affects Edward Steven Burdekin.

☐ Affects National Store Retail Services,
 LLC.

Case No.: BK-S-19-15172-ABL
 Chapter 11

Jointly administered with:

Edward Steven Burdekin,
 Case No. BK-19-15175-ABL; and
 National Store Retail Services, LLC,
 Case No. BK-19-15174-ABL

Date:
 Time:
 Place:

LR 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

- ☐ The court waived the requirement of approval under LR 9021(b)(1).
- ☐ No party appeared at the hearing or filed an objection to the motion.
- ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated in the order.
- ☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objection to the form or content of the order.

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